

Appl. No.: 10/009,583  
Reply to Office Action dated Sept. 24, 2003

Docket No. 8830-10 (157952)

### Remarks/Argument

Claims 1, 3, 4 and 12 are pending in the application. Claim 1 has been amended.

Applicant's representative thanks Examiner Young for the telephone interview conducted on March 2, 2004, in which Examiner Young indicated that the pending claims would be allowable if claim 1 was amended to specify that the uptake of *carotenoid* pigment is enhanced. As discussed below, claim 1 has been amended in this manner.

This amendment places the claims in better form for allowance. Entry of the present response is therefore proper, and reconsideration of the claims is respectfully requested based on the above changes and the remarks set forth below.

### PTO 1449 Forms

Applicant acknowledges that the Examiner has initialed and returned the PTO 1449 form submitted with the IDS on November 6, 2001.

Applicant respectfully requests that the Examiner initial the PTO Form 1449 submitted with the Supplemental IDS filed on March 12, 2002, and return a copy to Applicant's undersigned representative.

### Response to the section 103(a) rejection

The Examiner has maintained the 35 U.S.C. 103(a) obviousness rejection of claims 1, 3, 4 and 12 over Iwahashi et al., Bulletin of the Japanese Society of Scientific Fisheries, Vol. 42, No. 12, Pages 1339-1344 (1976) ("Iwahashi"). Iwahashi discloses that skin pigmentation in decorative *carp* can be improved by the addition of carotenoids into the diet of the fish. According to the Examiner, the Applicant has established that salmonid species and carp have different processes for metabolizing carotenoids. However, the Examiner believes that the Applicants have not established that all pigments are processed differently between salmonids and carp.

Without acquiescing to the propriety of the Examiner's reasons for maintaining the obviousness rejection, and in an earnest attempt to advance prosecution, claim 1 has been amended to recite a method of enhancing the uptake of *carotenoid* pigment in salmonid fish, by feeding the salmonid fish with feed comprising pigment and cholesterol. Claim 1 as

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amended, and dependent claims 3, 4 and 12 are therefore non-obvious over Iwahashi. Applicant therefore respectfully requests that the 35 U.S.C. 103(a) rejection of claims 1, 3, 4 and 12 be withdrawn.

Conclusion

The claims of the application are believed to be in condition for allowance. An early action toward that end is earnestly solicited.

Respectfully submitted,

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